

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed strawberry material.

DISPOSITION: February 26, 1951. Baumer Foods, Inc., claimant, having been permitted to withdraw its claim, judgment of condemnation was entered and the court ordered that the product be destroyed.

17131. Adulteration of blueberry pie mix. U. S. v. 54 Cases * * * (and 1 other seizure action). (F. D. C. Nos. 29530, 29891. Sample Nos. 78440-K, 79132-K.)

LIBELS FILED: August 24 and September 27, 1950, Western District of Washington.

ALLEGED SHIPMENT: On or about July 4 and August 29, 1950, by the Chun King Sales Co., from Duluth, Minn.

PRODUCT: 295 cases, each containing 24 1-pound, 1-ounce cans, of blueberry pie mix at Seattle, Wash.

LABEL, IN PART: "Wilderness Blueberry Pie Mix * * * Packed By Northland Foods, Inc. Duluth, Minnesota."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of moldy and rotten blueberries.

DISPOSITION: December 15, 1950. Default decrees of condemnation and destruction.

VEGETABLES AND VEGETABLE PRODUCTS

17132. Adulteration of canned corn. U. S. v. 183 Cases, etc. Tried to the court. Judgment for Government. Decree of condemnation and destruction. (F. D. C. No. 29526. Sample Nos. 77537-K, 77538-K.)

LIBEL FILED: August 11, 1950, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about December 14, 1948, and April 14, 1949, by W. A. Lee Canneries, from Pecatonica, Ill.

PRODUCT: Whole kernel corn. 183 cases, each containing 24 1-pound, 4-ounce cans, and 600 cases, each containing 24 unlabeled cans, at St. Louis, Mo.

LABEL, IN PART: "Haase's Fancy Whole Kernal White Sweet Corn."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of worms, worm parts, and insect fragments.

DISPOSITION: W. A. Lee, doing business as W. A. Lee Canneries, having appeared as claimant and having answered the libel, the case came on for trial before the court on December 22, 1950. After the court had heard the evidence and arguments of counsel, it found the issues for the Government; and on January 30, 1951, it entered a decree condemning the product and ordering it destroyed.

17133. Misbranding of canned peas. U. S. v. 896 Cases * * *. (F. D. C. No. 30192. Sample No. 69781-K.)

LIBEL FILED: December 7, 1950, Northern District of Ohio.

ALLEGED SHIPMENT: On or about July 22 and August 11, 1950, by Littlestown Canning Co., Inc., from Littlestown, Pa.

PRODUCT: 896 cases, each containing 24 1-pound cans, of peas at Youngstown, Ohio.

LABEL, IN PART: "Valley Sun Brand Early June Peas."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the quality of the article fell below the standard of quality for canned peas since the alcohol-insoluble solids of the article were more than 23.5 percent and the label failed to bear a statement that the article fell below the standard.

DISPOSITION: April 2, 1951. Littlestown Canning Co., Inc., claimant, having admitted the allegations of the libel, judgment of forfeiture was entered and the court ordered that the product be released under bond for relabeling, under the supervision of the Federal Security Agency.

17134. Adulteration of potato chips. U. S. v. Wachusett Potato Chip Co., Inc.
Plea of guilty. Fine, \$100. (F. D. C. No. 29627. Sample Nos. 79459-K, 79460-K.)

INFORMATION FILED: December 12, 1950, District of Massachusetts, against Wachusett Potato Chip Co., Inc., Fitchburg, Mass.

ALLEGED SHIPMENT: On or about May 11, 1950, from the State of Massachusetts into the State of New Hampshire.

LABEL, IN PART: (Bag) "Fresh Wachusett Potato Chips * * * Wachusett Potato Chip Co., Inc. Fitchburg, Mass."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of worm-infested potatoes, and of a decomposed substance by reason of the presence of decomposed potatoes.

DISPOSITION: January 23, 1951. A plea of guilty having been entered, the court imposed a fine of \$100 against the corporation.

TOMATOES AND TOMATO PRODUCTS

17135. Adulteration of canned tomatoes. U. S. v. 357 Cases * * *. (F. D. C. No. 29980. Sample No. 59348-K.)

LIBEL FILED: November 9, 1950, Northern District of Illinois.

ALLEGED SHIPMENT: On or about September 23, 1950, by the New Madison Canning Co., from New Madison, Ohio.

PRODUCT: 357 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Chicago, Ill.

LABEL, IN PART: "Su-Z-Q Favorite Tomatoes."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material.

DISPOSITION: January 24, 1951. Default decree of condemnation and destruction.

17136. Adulteration of canned tomatoes. U. S. v. 130 Cases * * *. (F. D. C. No. 30322. Sample No. 81685-K.)

LIBEL FILED: December 4, 1950, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about September 12, 1950, by the Willow Grove Canning Co., from Vineland, N. J.

PRODUCT: 130 cases, each containing 24 1-pound, 12-ounce cans, of tomatoes at Primos, Pa.